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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/605,933	11/06/2003	2631	770	1413.06	11	10	2

21901
 SMITH & HOPEN PA
 15950 BAY VISTA DRIVE
 SUITE 220
 CLEARWATER, FL 33760



CONFIRMATION NO. 2932

FILING RECEIPT



OC000000011963139

Date Mailed: 02/25/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Israel Morejon, St. Petersburg, FL;
 Jwalant Dholakia, St. Petersburg, FL;
 Yueping Zeng, St. Petersburg, FL;

Assignment For Published Patent Application

JABIL CIRCUIT, INC., St. Petersburg, FL;

Domestic Priority data as claimed by applicant

This appln claims benefit of 60/319,671 X 11/06/02

~~(*)Data provided by applicant is not consistent with PTO records.~~

Foreign Applications

If Required, Foreign Filing License Granted: 02/05/2004

Projected Publication Date: Request for Non-Publication Acknowledged

Non-Publication Request: Yes

Early Publication Request: No

Title

Method and Apparatus for Noise Reduction by Spectral and Subcarrier Averaging

Preliminary Class

375



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Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: **Israel Morejon et al.**
SERIAL NO.: **10/605,933** ART UNIT: **2631**
FILING DATE: **11/06/2003** EXAMINER: **UNASSIGNED**
FOR: **METHOD AND APPARATUS FOR NOISE REDUCTION BY SPECTRAL AND
SUBCARRIER AVERAGING**

Commissioner for Patents
Mail Stop OIPE Customer Service Center
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TRANSMITTAL OF REQUEST FOR CORRECTION

Sir,

Please accept the enclosed:

1. Applicant's Request for Correction of Filing Receipt;
2. A copy of the filing receipt received by counsel;
3. A copy of the Granted Petition to assign provisional application 60/319,671 a filing date of November 6, 2002; and
4. A self-addressed, postage pre-paid postcard, to serve as a receipt for items 1 and 3.

Very respectfully,

SMITH & HOPEN, P.A.

Anton J. Hopon
15950 Bay Vista Drive, Ste. 220
Clearwater, FL 33760
(727)507-8558
Attorneys for Applicant

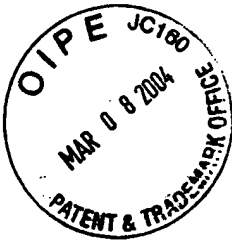
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Paper No. 7

SMITH & HOPEN PA
15950 BAY VISTA DRIVE
SUITE 220
CLEARWATER FL 33760

(Petitioner)

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FEB 17 2004

OFFICE OF PETITIONS

In re Application of
MOREJON, ISRAEL, et al.
Application No. 60/319,671
Filed: November 6, 2002
Attorney Docket No. 1413.06

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: Decision Granting Petition
:
:
:

This is a decision on a request for reconsideration filed September 10, 2003, and supplemented on January 27, 2004, of a decision dismissing a petition for suspension of the 37 CFR 1.84(a)(2) under 37 CFR 1.183 mailed April 9, 2003.

The petition is **GRANTED**.

The request for reconsideration states that Justice requires a waiver of the rules. This is interpreted to mean that since the filing date of a patent application is very critical and not according a filing date could result in loss of patent rights; the situation in this application is deemed to be an extraordinary situation where justice requires waiver of the rules.

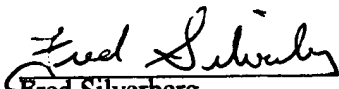
The request for reconsideration included a paper copy of the application as required by paper no. 4. The request states the steps that were taken to print the copy of the application that was submitted and the supplemental response filed January 27, 2004, states the drawings submitted with the present request on September 10, 2003 are identical to the electronic versions submitted in the original EFS filing. Michael Lewis of this office similarly, reviewed the drawings and electronic filing to verify the latter statement.

Since the paper drawings are identical to the electronic submission and justice requires their acceptance the petition to waive the rules is **GRANTED**.

In view of the above, the application is entitled to a filing date of November 6, 2002.

The instant application is being forwarded to the Office of Initial Patent Examination (OIPE) for further processing with a filing date of November 6, 2002, using the application papers filed November 6, 2002, and application pages numbered 8 to 21 of drawings filed September 10, 2003, and an indication on the bibliographic data sheet that 14 pages of drawing were present on filing.

Telephone inquiries concerning this decision should be directed to Michael L. Lewis at (703) 306-5585.


Fred Silverberg
Senior Legal Advisor
Office of Patent Legal Administration
Office of the Deputy Commissioner
for Patent Examination Policy

mll